

Thomas Jefferson and the National Capital. Edited by Saul K. Padover.

Commissioners to Jefferson

Commissioners Office 6th. January 1802.

Sir

William Rhodes having raised a frame for the purpose of a Stable within 8 feet of the building in which this office is kept, but little more than 12 from the Office of the Clerk of the County of Washington, and still nearer than either to another brick building; the Commissioners on the 10th Ultimo wrote him a letter (A) Whereupon Mr. Rhodes agreed with a Gentleman for liberty to place the frame on an adjacent lot, and declared his intention to remove it thither, as soon as it should be in a state to remove with ease and safety; we however observed that he was preparing to underpin the Frame where it now stands, and in

consequence wrote him another letter (B) since which we understand legal advice has been sought, and an opinion obtained that no power exists in us to remedy this evil in a summary way. A principle which leads to important consequences, and which we presume may as well be determined in the present as in any future case; but altho we are of opinion that such avowed infractions of established rules should be checked and that this building in particular should be removed or demolished yet we do not think it prudent to engage in a measure which may probably end in litigation, without the direction of the President, or the opinion of his Council, as to the power of the Commissioners to enforce a compliance with the rules and regulations established by the President respecting the materials and manner of building in the City, and the mode of carrying that power into effect. That such an opinion may be

Library of Congress

obtained we inclose an Extract from the Deeds of Trust (C) and a Copy of the rules & regulations established by President Washington in pursuance thereof (D). It may be proper to observe that the Operation of the 1st and 3rd Articles of those rules has been suspended till the first day of the present month, with this exception that no wooden building should be placed within 24 feet of a brick or Stone building, this frame being within that distance we presume must be subject to the rules first established. We are &c.

Wm Thornton

A. White

T. Dalton

[P. 123, COMMISSIONERS' LETTERBOOK, Vol. 6, 1800–02, in the National Archives.]